



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of) Group Art Unit 1724
IRA D. SASOWSKY *et al.*)
Serial No. 09/776,298) C. Barry, Examiner
Filed February 2, 2001)
For A METHOD FOR REMOVING)
METALS FROM AQUEOUS)
SOLUTIONS USING MIXED)
LITHIC MATERIALS)

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Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on
June 2, 2003

Sherry L. Leonardi
Sherry L. Leonardi

RESPONSE UNDER 37 C.F.R. § 1.116

Commissioner for Patents
Mail Stop Non-Fee Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:
In response to the Official Action mailed April 1, 2003, Applicants, respond as follows.

Remarks/Arguments begin on page 1 of this paper.

REMARKS

The Examiner has maintained all rejections from the Office Action mailed October 8, 2002. In support of the continued rejection of all pending claims, the Examiner provided responsive arguments to some of the arguments that Applicants submitted in their response of January 31, 2003. Having fully considered the Examiner's position, it is clear that the Examiner gives too much credit to the Behrends reference and what it teaches to those of ordinary skill in the art. Particularly, Behrends does not sufficiently describe the claimed invention to have placed it in the public's possession as required if it is to be properly employed to anticipate the present invention.

The Examiner has rejected claims 1-4, 8, 9 and 11 as being anticipated by Behrends '433, particularly at Col. 8, lines 4-11, wherein a confusing and vague disclosure of backfill



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Sherry L. Leonard
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TRANSMITTAL SHEET

Enclosed are the following documents:

Response and Amendment (w/attached Certificate of Mailing)
 Transmittal Sheet
 Excerpt from *Dictionary of Modern Legal Usage*
 Return Receipt Postcard

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.

Respectfully submitted,

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June 2, 2003